

**STATUTORY CHECKLIST [§58.35(a) activities]  
for Categorical Exclusions and Environmental Assessments**

Note: Review of the items on this checklist is required for both Categorical Exclusions under Sec. 58.35(a) and projects requiring an Environmental Assessment under Sec. 58.36. If no compliance with any of the items is required, a Categorical Exclusion [58.35(a)] may become "exempt" under the provisions of Sec. 58.34 (a) (12). In such cases attach the completed Statutory Checklist to a written determination of the exemption. Projects requiring an Environmental Assessment under Sec. 58.36 cannot be determined to be exempt even if no compliance with Statutory Checklist items is found. Three items listed at Sec. 58.6 are applicable to all projects, including those determined to be exempt.

**Project Name and Identification/Location: 2061- Zazu Grey – 15 Caroline Street,  
Milford, CT**

Area of Statutory or Regulatory Compliance	Not Applicable to This Project	Consultation Required*	Review Required*	Permits Required*	Determination of consistency Approvals, Permits Obtained*	Conditions and/or Mitigation Actions Required	Provide compliance documentation. Additional material may be attached.
<b>Document Laws and authorities listed at 24 CFR Sec. 58.5</b>							
1. Historic Properties [58.5(a)] [Section 106 of NHPA]	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	House is greater than 50 years old and requires consultation with the State Historic Preservation Office (SHPO) prior to the start of work. SHPO determination pending. Construction will not begin until Standard Treatments necessary to mitigate potential adverse effects to historic properties are completed to the satisfaction of SHPO (if necessary).
2. Floodplain Management [58.5(b)] [EO 11988] [24 CFR 55]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	FEMA Firmette Map No 09009C0533J, revised July 8, 2013 shows the project located on Flood Zone AE. All work to comply with the Flood Management Certificate.
3. Wetland Protection [58.5 (b)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Site is not located in any identified wetlands, see attached USFWS inventory map, however local ILWL review may be necessary and SESC plan implemented and maintained during construction.
4. Coastal Zone Management [58.5(c)] [CGS 22a-100(b)]	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Project is shown within designated coastal zone in Coastal Boundary Map, see attached. Project involves minor rehabilitation and is located <u>inside</u> the Coastal Boundary Area. Map created using data accessed from CT Environmental Conditions Online (CT ECO) of the Coastal Boundary Zone from <a href="http://cteco.uconn.edu">http://cteco.uconn.edu</a> pursuant to CT DEEP Coastal Boundary map for New Haven County.
5. Water Quality – Aquifers [58.5(d)] [40 CFR 149] Clean Water Act 1977 Safe Drinking Water Act 1974	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Water Quality – N/A. Project does not involve on-site water and sewer facilities. Aquifers – Project does not increase pre-existing footprint of structures. No aquifers were identified in the area of the site. See attached Map.

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6. Endangered Species [58.5(e)] [16 U.S.C. 1531 et seq.] [CGS 26-310]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Although the project location is located within a Natural Diversity area, the project location does not contain waterfront property with a sandy beach. Therefore, the site project will not impact any identified endangered wildlife. The proposed project will only impact the areas of the pre-existing dwelling footprint. No new areas will be developed. There is no suitable habitat for threatened species within the project area. See attached map, supporting documentation and/or following link: <a href="ftp://ftp.state.ct.us/pub/dep/gis/endangeredspeciesmaps/nd084.pdf">ftp://ftp.state.ct.us/pub/dep/gis/endangeredspeciesmaps/nd084.pdf</a>
7. Wild and Scenic Rivers [58.5 (f)] [16 U.S.C. 1271 et seq.]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Per CT DEEP there are no Wild and Scenic Rivers in the Town of Milford.
8. Air Quality [58.5(g)] [42 U.S.C. 7401 et seq.]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Clean Air Act, State Implementation Plan, HUD & EPA Regulations; in general, residential rehabilitation exempted w/no quantifiable increase in air pollution.
9. Farmland Protection [58.5(h)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	N/A- Project activities occur inside of existing structure's footprint.
Manmade Hazards: 10 A. Thermal Explosive [58.5(i)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	24 CFR 51 Subpart C & HUD Guidebook; N/A – Project does not add density. .
10 B. Noise [58.5(i)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	24 CFR 51 Subpart B HUD's The Noise Guidebook; N/A- Project activities restore facilities substantially as they existed prior to the disaster.
10 C. Airport Clear Zones [58.5 (j)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	24 CFR 51 Subpart D Project site is located outsideTweed New Haven Regional and Sikorsky Airport clear zone area.
10 D. Toxic Sites [58.5 (i)(2)(i)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The site 1) is not listed on EPA Superfund National Priorities or CERCLA List or equivalent State list, 2) is located within 3,000 feet of a capped solid waste landfill which existed prior to the disaster. 3) there are not known non-residential underground storage fuel oil tank and 4) is not known or suspected to be contaminated by toxic chemicals or radioactive materials. The site will be substantially restored to condition prior to the disatser which will include public water service.
11. Environmental Justice [58.5(j)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The site is not located within a predominately minority or low income neighborhood.

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<b>Document Laws and authorities listed at Sec. 58.6 and other potential environmental concerns</b>							
12 A. Flood Insurance [58.6(a) & (b)]	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Per federal regulations and program guidelines, for site-specific projects located in the 100-year flood plain, the assisted homeowners are required to maintain flood insurance for not less than five years from the date of the assistance. Homeowner to provide copy of Insurance before receiving project funding.
12 B. Coastal Barriers [58.6(c)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Coastal Barrier Resource Act: Property is not in Coastal Barrier Resources System; See attached map, John Chafee Coastal Barrier Resources System
12 C. Airport Clear Zone Notification [58.6(d)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	24 CFR 51 Subpart D 51.303 (a)(3): Property is not for sale and is not in an Airport runway clear zone.
13. A Solid Waste Disposal [42 U.S.C. S3251 et seq.] and [42 U.S.C. 6901-6987 eq seq.]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Solid waste impact is expected to be minimal as the scope of the project is limited to pre-storm building footprint.
13 B. Fish and Wildlife [U.S.C. 661-666c]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Project activities will not result in impounding, diverting, deepening, channelizing or modification of any stream or body of water and is not a water control project.
13 C. Lead-Based Paint [24 CFR Part 35] and [40 CFR 745.80 Subpart E]	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	A survey of the site performed by Freeman Companies identifies lead-based paints and trace amounts of lead amongst identified painted materials. This should be communicated to contractors before disturbing these materials. See attached report for recommendations / requirements.
13 D. Asbestos	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A survey of the site performed by Freeman Companies identified no asbestos-containing materials. See attached report for recommendations / requirements.
13 E. Radon [50.3 (i) 1]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Freeman Companies LLC was unable to perform radon-in-air testing as the bottom of the existing structure was already raised approximately 8 feet upon stilts and exposed to the open air on all sides. Read conclusions and recommendations in attached report.



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13 F. Mold	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Freeman Companies LLC observed no visible mold growths or noticeable odors. As there were no normally detectable indications of mold intrusion, no mold laboratory samples were taken. Read conclusions and recommendations in attached report.
Other: State or Local 14 A. Flood Management Certification [CGS 25-68]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	FEMA Firmette Map No 09009C0533J, revised July 8, 2013 shows the project located on Flood Zone AE. All work to comply with the Flood Management Certificate.
14 B. Structures, Dredging & Fill Act [CGS 22a-359 through 22a-363f]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Project rehabilitation work does not propose any adverse impacts to coastal resources nor propose any activities waterward of Coastal Jurisdiction Line (CJL)
14 C. Tidal Wetlands Act [CGS 22a-28 through 22a-35]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No Tidal wetlands have been identified.
14 D. Local inland wetlands/watercourses [CGS 22a-42]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Property is <u>not located</u> within regulated wetland.
14 E. Various Municipal Zoning Approvals	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	See attached Zoning Permit dated 3-26-15. See attached copy of application for Building Permit, City of Milford, CT

**DETERMINATION:**

- ☐ This project converts to Exempt, per §58.349a)(12), because it does not require any mitigation for compliance with any listed statutes or authorities, nor requires any formal permit or license. Funds may be drawn down for this (now) EXEMPT project; OR
- ☒ This project cannot convert to Exempt because one or more statutes/authorities requires consultation or mitigation. Complete consultation/mitigation requirements, publish NOI/ROF and obtain Authority to Use Grant Funds (HUD 7015.16) per §58.70 and 58.71 before drawing down funds; OR
- ☐ The unusual circumstances of this project may result in a significant environmental impact. This project requires preparation of an Environmental Assessment (EA). Prepare the EA according to 24 CFR Part 58 Subpart E.

Prepared by:

Anita Macagno-Cecchetto, RA

3/16/15

Name (Primary):

Date

Brett Nicholas (Freeman Cos.)

3/10/15

Name:

Date

Charles Brink (Freeman Cos.)

3/10/15

Name:

Date

Responsible Entity or designee Signature:

Hermia Delaire, CDBG-DR Program Manager

4/3/2015  
Date